

# Municipal Privileges (Ireland) Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

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## ARRANGEMENT OF CLAUSES.

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### Clauses.

1. Short title of Act.
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  3. Corporation of Dublin to appoint sheriff.
  4. Other corporations to appoint sheriffs.
  5. Present sheriffs to continue in office until new appointments.
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  10. Corporations to appoint clerk of the peace in counties of cities and towns ;
  11. And in boroughs with grant of separate quarter sessions.
  12. Corporations may grant honorary freedom.
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B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Extend to Municipal Corporations in Ireland certain privileges now exercised and enjoyed by Municipal Corporations in England. A.D. 1874.

**W**HEREAS before and at the time of the passing of the Acts Presbule.  
for the regulation of municipal corporations in England and Ireland, passed respectively for England in the sixth year of the reign of His late Majesty King William the Fourth, and for Ireland in the fourth year of the reign of Her Majesty the now Queen, the municipal corporations of cities and towns which were counties in themselves had, both in England and Ireland, enjoyed and exercised from very ancient times and by virtue of ancient charters and usages the privilege and right of appointing sheriffs for such counties of cities and counties of towns : And whereas such right has been preserved to and is now enjoyed by such corporations in England, but has been taken away from those in Ireland, and it is expedient to restore such right to municipal corporations in Ireland, and also in other respects to enlarge and extend the privileges now enjoyed by municipal corporations in Ireland in order more nearly to assimilate them to those enjoyed by similar bodies in England and Scotland :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited for all purposes as "The Municipal Privilege Act, Ireland, 1874." Short title of Act.

2. "Borough" in this Act shall mean and include any city, town, or borough in which a municipal corporation now exists or shall hereafter exist, pursuant to any statute regulating municipal corporations in Ireland; and the word "mayor" shall, as to the city of Dublin, mean and include the lord mayor. Interpretation of words.

3. On the first day of December immediately after the passing of the Act, and on the first day of December in every year following, Corporation of Dublin to appoint sheriff.

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or in case such day shall fall on a Sunday, then on the day after, the council of the city of Dublin shall appoint a fit person to execute the office of sheriff for the county of the city of Dublin, with the like duties and powers as the sheriff or person filling the office of sheriff would have had if this Act had not passed, and the person so appointed shall, on the first day of January or so soon thereafter as he shall in manner herein-after mentioned have taken the oaths required by law, have and exercise the said office of sheriff until his successor shall have been appointed and likewise taken the oaths required by law.

Other corporations to appoint sheriffs.

4. Upon the first day of December in this and every succeeding year, or in case such day shall fall upon a Sunday, then upon the day following, the councils of the following cities and towns shall in like manner respectively appoint a fit person to be sheriff for the following counties respectively; that is to say,

The council of the city of Cork, for the county of the city of Cork;

The council of the city of Limerick, for the county of the city of Limerick;

The council of the city of Waterford, for the county of the city of Waterford;

The council of the city of Kilkenny, for the county of the city of Kilkenny;

The council of the town of Drogheda, for the county of the town of Drogheda;

and each of the persons so appointed shall in like manner execute the office of sheriff of each of the said counties respectively, and shall enter on the said office on the first day of January following his election, or so soon thereafter as he shall in manner herein-after mentioned have taken the oaths required by law, and shall hold office until his successor shall have been appointed and likewise taken the oaths required by law.

Present sheriffs to continue in office until new appointments.

5. The person now filling the office of sheriff in each of the said counties shall continue to hold and execute same until the first of January next, and until a sheriff appointed under this Act shall have entered on his office and taken the oaths required by law.

Person appointed to office of sheriff may decline.

6. Any person appointed to the office of sheriff under the provisions of this Act may decline to serve without incurring any penalty.

Sheriffs may be superseded.

7. Sheriffs appointed under the provisions of this Act may be superseded by the Crown in the same manner as sheriffs for counties can now be superseded.

8. If at any time after the passing of this Act a vacancy shall occur in the office of sheriff of any of the said counties, or if any person appointed sheriff under this Act shall refuse to act, die, or become incapable of acting before he enters on his office, or shall be superseded, the council to whom the appointment of the said sheriff belongs shall, within one week after notice of refusal, or of the sheriff being superseded, or of a vacancy, death, or incapacity as aforesaid, at a meeting duly convened by the mayor, appoint a fit person to fill the said vacancy or to be in the room and stead of the person so refusing, superseded, dying, or becoming incapable.

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Vacancies to be filled.

9. The office of sheriff shall not be deemed to be an office of profit in the gift or disposal of or under the council of any borough within the meaning of any statute regulating municipal corporations in Ireland, nor shall any person, by reason of being appointed to such office, be disqualified from being elected or being an alderman or councillor of such borough, nor shall any person be disqualified or incapacitated from being appointed sheriff by reason of his being such alderman or councillor.

Office of sheriff not to be deemed one of profit.

10. Whenever after the passing of this Act a vacancy shall occur in the office of clerk of peace for any of the counties herein-before mentioned the council of the borough to whom the appointment of sheriff for such county belongs shall appoint a fit person to be clerk of the peace during his good behaviour, and the person so appointed shall discharge the duties in person and, while he continues to hold such office, have and fulfil and exercise all the emoluments, rights, duties, and privileges of same as fully to all intents and purposes as the person filling such office would have done if this Act had not been passed.

Corporations to appoint clerk of the peace in counties of cities and towns;

11. The council of every borough to which a grant of a separate court of quarter sessions has been made shall in like manner appoint a fit and proper person, subject to the like provisions, to be clerk of the peace during good behaviour whenever a vacancy shall occur in such office, and the council of every borough to which such grant shall hereafter be made shall, upon such grant being so made and whenever a vacancy shall occur in the office, in like manner appoint a fit and proper person, subject to the like provisions, to be clerk of the peace during his good behaviour.

and in boroughs with grant of separate quarter sessions.

12. From and after the passing of this Act it shall be lawful for the council of any borough in Ireland to elect and admit any person to be an honorary Burgess of such borough, but no person so elected or admitted shall be entitled to vote at any election or to exercise any corporate privilege by reason of such election or

Corporations may grant honorary freedom.

A.D. 1874. admission; and no person, except the person himself who is so elected and admitted, shall be entitled to make any claims by reason thereof, or to have or enjoy any right or claim by descent, inheritance, or otherwise; but in any case in which it is by law a necessary qualification for a corporate office that the person filling 5 same shall be on the hurgess roll of the borough, any person elected and admitted as an honorary hurgess shall be deemed and taken to possess such qualification.

## ***Municipal Privileges (Ireland).***

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### **B I L L**

[AS AMENDED BY THE SELECT COMMITTEE]

To extend to Municipal Corporations in Ireland certain privileges now exercised and enjoyed by Municipal Corporations in England.

*(Prepared and brought in by  
Mr. Bant, Sir John Grogan, Mr. Boyan, and  
Mr. P. J. Keogh.)*

*Ordered, by The House of Commons, to be Printed,*

*19 May 1874.*

[Bill 119.]

*LONDON: 1874.*